

110TH CONGRESS
1ST SESSION

S. 1615

To provide loans and grants for fire sprinkler retrofitting in nursing facilities.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2007

Mr. DODD (for himself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide loans and grants for fire sprinkler retrofitting
in nursing facilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nursing Home Fire
5 Safety Act of 2007”.

6 **SEC. 2. FINDINGS AND SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) An estimated 1,500,000 Americans reside in
9 approximately 16,300 nursing facilities nationwide,

1 an estimated 20 to 30 percent of which lack an
2 automatic fire sprinkler system.

3 (2) In a July 2004 report, the Government Ac-
4 countability Office found that “the substantial loss
5 of life in [recent nursing home] fires could have been
6 reduced or eliminated by the presence of properly
7 functioning automatic sprinkler systems” and that
8 “Federal oversight of nursing home compliance with
9 fire safety standards is inadequate”.

10 (3) Many nursing facilities lack the financial
11 capital to install sprinklers on their own and must
12 consider closure as an alternative to taking on large
13 loans or other financing options in order to install
14 sprinklers.

15 (4) Recognizing that automatic fire sprinkler
16 systems greatly improve the chances of survival for
17 older adults in the event of a fire, the National Fire
18 Protection Association, with the support of the
19 American Health Care Association, the fire safety
20 community, and the nursing facility profession, re-
21 cently adopted requirements for automatic sprinklers
22 in all existing nursing facilities.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) within 5 years, every nursing facility in
2 America should be equipped with automatic fire
3 sprinklers in order to ensure patient, resident, and
4 staff safety;

5 (2) the Centers for Medicare & Medicaid Serv-
6 ices (CMS) should require all nursing homes to be
7 fully sprinklered as recently required by the Life
8 Safety Code of the National Fire Protection Associa-
9 tion with the support of the nursing home industry,
10 which includes the requirement that all nursing fa-
11 cilities be fully sprinklered; and

12 (3) the Centers for Medicare & Medicaid Serv-
13 ices, in collaboration with Congress, should take into
14 consideration the costs of retrofitting existing nurs-
15 ing home facilities and commit itself to providing fa-
16 cilities with the critical financial resources necessary
17 to ensure the speedy and full installation of life sav-
18 ing sprinkler systems.

19 **SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.**

20 (a) **AUTHORITY.**—Not later than 120 days after the
21 date of enactment of this Act, the Secretary of Health and
22 Human Services shall establish a program of direct loans
23 to existing nursing facilities to finance retrofitting the fa-
24 cilities with an automatic fire sprinkler system. Such loans

1 shall be made under terms and conditions specified by the
2 Secretary.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 such sums as may be necessary for each of fiscal years
6 2008 through 2012.

7 **SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.**

8 (a) AUTHORITY.—Not later than 120 days after the
9 date of enactment of this Act, the Secretary of Health and
10 Human Services shall establish a program to award grants
11 to nursing facilities for the purposes of retrofitting them
12 with an automatic fire sprinkler system. Such grants shall
13 be awarded under terms and conditions specified by the
14 Secretary.

15 (b) PRIORITY.—In awarding grants under this sec-
16 tion, the Secretary shall give a priority to applications that
17 demonstrate a need or hardship. In determining hardship,
18 the Secretary may take into account factors such as the
19 number of residents who are entitled to or enrolled in the
20 medicare program under title 18 of the Social Security
21 Act (42 U.S.C. 1395 et seq.) or receiving assistance under
22 the medicaid program under title 19 of such Act (42
23 U.S.C. 1396 et seq.), the age and condition of the facility,
24 and the need for nursing facility beds in the community
25 involved.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 such sums as may be necessary for each of fiscal years
4 2008 through 2012.

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